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IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,))
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

TYSON FOODS, INC., et al,)

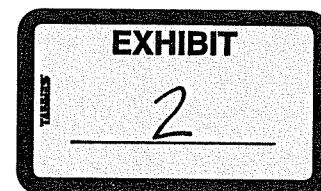
Defendants.)

) 4:05-CV-00329-TCK-SAJ

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THE VIDEOTAPED DEPOSITION OF
CLAUD RUTHERFORD, produced as a witness on behalf
of the Plaintiff in the above styled and numbered
cause, taken on the 1st day of August, 2008, in the
City of Fayetteville, County of Washington, State of
Arkansas, before me, Lisa A. Steinmeyer, a Certified
Shorthand Reporter, duly certified under and by
virtue of the laws of the State of Oklahoma.

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918-587-2878



1 let me ask you this way: During your overseeing of
2 the ten-farm construction, were you still involved
3 with environmental work for Simmons?

4 A As far as related to those farms.

5 Q Only as to those ten farms? 10:11AM

6 A Yeah, only related to those ten farms.

7 Q But prior to that you were involved with
8 environmental work that involved all the farms for
9 Simmons?

10 A All the farms. 10:11AM

11 Q Did it involve any work with regard to the
12 contract grower operations? Let me ask it this way:
13 Did your environmental work involve the contract
14 grower operations?

15 A Yes. 10:11AM

16 Q Okay. Am I correct in understanding that in
17 1998 to 2000 you were the chair of the Poultry
18 Federation environmental committee?

19 A I think it was for that full period.

20 Q For that period? 10:11AM

21 A Yeah, for that period.

22 Q Tell me what Poultry Federation that was.

23 A It was the Arkansas Poultry Federation, and I
24 worked with the Oklahoma Poultry Federation, which
25 is a sub -- it was part of the Arkansas Federation. 10:12AM

1 Same companies involved.

2 Q Okay.

3 A And also worked some in Missouri with the
4 companies involved in Missouri and met with the
5 environmental people in Missouri.

10:12AM

6 Q So as I understand it, Poultry Federation
7 involved both Oklahoma, Arkansas and Missouri?

8 A That's right.

9 Q Based upon your experience and tenure at
10 Simmons, when did Simmons first become concerned
11 about any environmental impacts its growing
12 operations could have?

10:12AM

13 A Well, I'd say that when I was first employed
14 there in '77 we was concerned about environmental
15 issues because how farms were and how they're
16 related to neighbors' land.

10:12AM

17 Q Describe for me what those concerns were
18 besides how they related to neighbors.

19 A Well, those concerns was that the growers took
20 care of their farms, that they were -- I got to go
21 back a few years. So at that time we was concerned
22 with placement of the farm as far as we wouldn't
23 have disease concerns, how they were related to
24 where other farms were, and the growers did clean
25 them out regularly and that they were sanitary for

10:13AM

10:13AM

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